



## Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact [support@jstor.org](mailto:support@jstor.org).

LAW OFFICE AND COURT PROCEDURE. By GLEASON L. ARCHER. Boston: LITTLE, BROWN & Co. 1910. pp. xv, 311.

The scope of this work is largely confined to careful and concise explanations of elementary practice and procedure. In his preface, the author states that his purpose in bringing forth this work is to furnish practical assistance to young attorneys just entering upon the practice of their profession who have had no opportunity, by apprenticeship in the offices of older men, to familiarize themselves with the details of practice and the unwritten customs of the courts into which they are brought. It is true the author claims to have furnished matter of interest to the older and more experienced members of the profession, but this may be passed with the remark that the only portion of the book which could be of the least interest to an attorney of a few years experience, is contained in Chapters xi, xii, and xiii, in which are contained some examples of direct and cross examination. Some of these are interesting and instructive, but, alone, would furnish no justification for the appearance of the book.

The author takes the young attorney in hand from the time his client comes to him with the story of his grievance. He instructs him in the examination of prospective witnesses, the selection of the court best adapted for his purposes, the commencement of the action, the use of provisional remedies whenever appropriate, bringing the case to trial, the conduct of the trial, and the proceedings after its termination, furnishing many forms throughout the text upon the subjects there considered. It is here we find the real merit of the work, for it is written in a style, so clear and simple, as to be readily understood by readers having little or no previous knowledge of even the rudiments of practice and procedure.

The practice of Massachusetts predominates throughout. It is true that an occasional reference is made to Code provisions and decisions of other states, but the relative amount of these is almost negligible. The author claims that there is a similarity of custom and procedure, common to all jurisdictions, which makes the book of value to young attorneys, regardless of the state in which they may practice. While this is probably true of those jurisdictions which have not departed materially from the forms and customs of the common law, it is believed that it is not true of the majority of the Code states. Bearing in mind the class of readers to which the book is primarily directed, the variance in practice would probably but add to their confusion. The practice outlined by the author could not be adopted by them. The forms given would, for the most part, be useless. Terms used constantly throughout, such as "writ," "declaration," "trustee process," "ad damnum" and the like, would be meaningless until reduced to their equivalents in the nomenclature of their particular state, and, even then, the directions as to service, time, etc., could not be safely followed. The very character of the subject matter requires accuracy in small matters of detail, which vary considerably in many jurisdictions, and this can be accomplished only by particular reference to a single state, or to a group of states having practice so similar that even minor details of procedure show but slight variation.

While the usefulness of the work is probably confined to a more narrow field than that indicated by the author in his preface, it undoubtedly will be found to give great assistance to young attorneys of some states, and particularly to those practicing in Massachusetts.

It is to be regretted that more books of this description have not been written to assist the younger members of the profession in those states which have adopted the reformed procedure.

*F. P. W.*

A POCKET CODE OF THE RULES OF EVIDENCE IN TRIALS AT LAW. By JOHN HENRY WIGMORE. Boston: LITTLE, BROWN & Co. 1910. pp. liii, 566.

This little book is an abridgment of the author's five volume treatise. Its object as we are told in the preface, is to provide the practitioner with a handy summary of the existing rules of evidence, and at the same time to state them in a scientific form capable of serving as a code. Throughout there are frequent references to the larger work; otherwise no authorities are cited. Each alternate page is left blank for such annotation as the user may desire. In analysis the author has applied the same scientific method which is found in his larger work. It may be said, however, that it is a matter of some difficulty to accustom oneself to the use of such terms as "Testimonial Rehabilitation," "Autoptic Preference" and "Prophylactic Rules."

As is apparent from this description of the book, its use must be limited to trials and similar occasions when the lawyer desires a quick statement of a general principle. For the unanticipated objection for which there is no opportunity to prepare, the work will doubtless be of value. Certainly no one is better fitted to prepare such a book than is Professor Wigmore. But as it undertakes to state the law of all the states and merely indicates by the use of brackets such rules as are not universally accepted, the careful lawyer may well hesitate to rely upon it when he encounters these cautionary signs. Such a book would be of much greater value if it were restricted in scope to a single jurisdiction. In fact the author says in the preface, "a series of such Local Editions, completely annotated, is planned for a future time—at least in the jurisdictions having voluminous authorities." Very brief notes of the leading and exceptional cases would also enhance its worth.

*K. T. F.*

#### BOOKS RECEIVED:

THE FEDERAL CORPORATION TAX LAW OF 1909. By ARTHUR W. MACHEN, JR. Boston: LITTLE, BROWN & Co. 1910. pp. xxv, 269.

THE PRINCIPLES OF ARGUMENT. By EDWIN BELL. Philadelphia: COMARTY LAW BOOK Co. 1910. pp. ix, 339.

INDEPENDENT CONTRACTORS AND EMPLOYERS' LIABILITY. By THEOPHILUS J. MOLL. Cincinnati: THE W. H. ANDERSON Co. 1910. pp. lvi, 378.

THE CIVIL CODE OF THE GERMAN EMPIRE. By WALTER LOEWY. Boston: THE BOSTON BOOK Co. 1909. pp. lxxi, 689.

THE LAW OF REAL PROPERTY. By RALEIGH COLSTON MINOR and JOHN WURTS. St. Paul, Minn.: WEST PUBLISHING Co. 1910. pp. lix, 959.

CASES ON THE LAW OF EQUITY JURISPRUDENCE AND TRUSTS. By N. K. ABBOTT. Chicago: T. H. FLOOD & Co. 1909. pp. xi, 1047.

SHIPPERS AND CARRIERS OF INTERSTATE FREIGHT. By EDGAR WATKINS. Chicago: T. H. FLOOD & Co. 1909. pp. 578.

THE HISTORY OF THE DEVELOPMENT OF LAW. By M. F. MORRIS. Washington, D. C.: JOHN BURNHAM Co. 1909. pp. 315.